

**Truro Planning Board**  
**Minutes of meeting January 30, 2007 – 7:00 p.m.**  
**Truro Public Library**

Members present: Ansel Chaplin, William Golden, Karen Snow, William Worthington (chair), Nicholas Brown, Deborah Paine, Robert Weinstein,  
Others attending: Charleen Greenhalgh (Assistant Town Administrator/Planner), Susan Kadar and Art Hultin (Housing Authority)

William Worthington called the meeting to order at 7:00 p.m.

**Drinkwater Appeal – Swanson vs. Planning Board**

A decision need to be made on whether the Planning Board wants Town Counsel to defend the Board on this case or to allow the defendants attorney to carry the case. Generally, when a Town Board approves an application and the neighbors appeal it, the Town steps back and allows the applicant, who received the approval, to defend the decision and the appeal. On a motion from Mr. Worthington and seconded by Ms. Snow the Board voted to have Town Counsel stand back. Messers Weinstein, Brown and Chaplin abstained.

**Subdivision Rules and Regulations**

The latest draft of the Rules and Regulations are complete. Mr. Worthington suggested holding a work session on February 20<sup>th</sup> to review them with the entire Board. The Board agreed to distribute them to other Town boards and committees. Mr. Chaplin made a motion to hold a work session on February 20, 2007, seconded by Mr. Worthington, so voted unanimously.

**Affordable Housing By-law Review**

The Board invited the Housing Authority to attend the meeting. Ms. Kadar expressed her appreciation for the Board inviting the Housing Authority to the meeting. She ran through the documents by section 40.2

A – Good idea to have example of how the decision (deed restriction) would read.

C.2 – Would the Board consider a ratio for the size of the building and the number of bedrooms? She felt that a maximum of 1400 s.f. was large and wondered if the size should be based on number of bedrooms.

C.7 – Why inspect annually?

D – Why no consider assets as well as income? Suggested a word change that the incomes “not” exceed 80%.

E – She expressed that clearly rents are determined by HUD.

Maybe F.3 – the word “may” ought to be used instead of “shall”. This has already been corrected.

Section 4 of the Special Legislation – the language is strange. Suggested that it might be helpful to have an example of the calculation. This will be included in the comment section.

Section 6 – identify the town as Truro.

Mr. Hultin than provided his comments. He was confused at first with the inconsistency with Affordable Accessory Dwelling Unit and “unit”. There should be standard language to identify such. In Smart Growth is suggests what a detached building is, what a single-family unit is. It is

confusing. Can a two-family dwelling or duplex have an accessory affordable dwelling unit? Yes. He felt that 1400 s.f. was large for a studio or 1 bedroom unit.

Section C.6 speaks to current Board of Health regulations and Title 5. There is confusion between the two in that the current Truro regulations require 150' from a well to the septic, but the state only requires 100'.

It seems the hope is to have pre-existing structures using this. He also cautioned that there might be some existing Special Permits on properties that may have restricted or limited the size of units. How would this be handled? It would appear that they would have to go back to the Board of Appeals for further relief or modification, per Mrs. Greenhalgh. This bylaw is creating affordable housing, but it will not count towards the 10%.

Ms. Kadar asked about tenant protection. This bylaw would not protect a tenant. It does not appear that zoning can provide for that.

Mr. Brown then responded to some of the comments.

- Annual inspections will make sure that a permitted one-bedroom unit is still only a one-bedroom unit; it will be sure that the unit is still habitable and is to codes. It is protection not only for the tenant, but also for the landlord. This is similar to an annual inspection of a cottage colony or motel. It is true that this requirement is more intrusive for a rental than a single family home.
- Regarding the size of units. The goal is to also allow for a decent three bedroom.
- C.6 – suggestion to take this to Pat Pajaron, Health Agent.
- Units would be allowed within or accessory to a principle structure, which it appears, would include duplexes.

Mr. Brown had additional comments including removing the word “rental” from the title. A length discussion ensued on this topic. No consensus was reached. It was also suggested to use either a shortening of the title (such as “Unit”) through out the document. Mr. Chaplin then reviewed his comments that were previously sent out. With regard to having standards for the granting of waivers, he felt this was good and included the rights of the neighboring parties. It appears that language already exists in §F.3.

There was then a discussion on the types of situations with regard to income and assets. For example, a single parent may have some assets in the form of a college fund for a child, but this should not be counted towards there income.

Ms. Paine felt strongly that the wording should not be changed with regard to size of structures based on number of bedrooms. She gave the example of an artist’s studio.

Mr. Chaplin made a motion, seconded by Ms. Paine to send this along to the Selectmen with amendments as discussed and as they appeared in the 01/24/07 version, for starting the public hearing process. Mrs. Greenhalgh suggested that they may wish to ask the Board of Selectmen to allow the Board to hold the public hearing during the Selectmen’s meeting on March 6, 2007, so that it could be televised. The Board agreed with this idea.

Mr. Brown then updated the Board on the work that the Shape of the Table workgroup and the condo conversion workgroup has been doing. There is a land use map, prepared by Gary Delius, MIS Director for the Town. A set was available for the meeting and reviewed. The hope is to obtain enough copies for the Board members and the Workgroup. There needs to be a base map, which would then lead to a build out analysis. There is a need for good science, which would lead the groups down the road for where they want to be with this area.

The meeting adjourned at 8:55 p.m. with a motion from Ms. Snow, seconded by Mr. Worthington and so voted unanimously.

Respectfully submitted,

Charleen Greenhalgh  
ATA/Planner